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Sexual violence in conflict

Report of the Secretary-General

I. Introduction

1. The present report, which covers the period from December 2011 to December 2012, is submitted pursuant to paragraph 18 of Security Council resolution 1960 (2010), by which the Council requested me to submit annual reports on the implementation of resolutions 1820 (2008) and 1888 (2009), and to recommend appropriate actions. The report also responds to the requests made by the Council in its presidential statement S/PRST/2012/23. The report presents information on parties to conflict credibly suspected of committing or being responsible for acts of rape and other forms of sexual violence. It highlights actions taken and challenges faced by States in conflict and post-conflict situations to protect women, men and children from sexual violence; the implementation of the monitoring, analysis and reporting arrangements; the deployment of women's protection advisers; the engagement undertaken by the United Nations Team of Experts on the Rule of Law and Sexual Violence in Conflict; the efforts of the United Nations system; and recommendations to strengthen efforts to combat this egregious crime. The report should be read in conjunction with my previous report on the same topic (A/66/657-S/2012/33).

2. Preparation of the report involved consultations with the 13 members of the network of United Nations entities called United Nations Action against Sexual Violence in Conflict, United Nations field missions and country teams, concerned Member States and non-governmental organizations. United Nations peacekeeping and political missions, as well as country teams, were the primary sources of information for the report.

3. On 2 September 2012, Zainab Hawa Bangura took office as my new Special Representative for Sexual Violence in Conflict, replacing Margot Wallström, and assumed the chairmanship of United Nations Action. Ms. Bangura will focus on consolidating the gains made with regard to the five-point priority agenda established

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by her predecessor, namely to address impunity, empower war-affected women so that they seek redress and realize their rights, strengthen the political will to comprehensively address sexual violence, harmonize and scale up the international response and enhance understanding of sexual violence as a tactic and consequence of war. As an additional priority, my Special Representative will emphasize the need to foster national ownership, leadership and responsibility in addressing sexual violence.

4. In 2012, United Nations Action supported the roll-out of scenario-based training for peacekeepers to improve their operational readiness to recognize and react swiftly to sexual violence, and piloted new early-warning indicators to enhance prevention. United Nations Action also supported the implementation of joint Government-United Nations comprehensive strategies to combat sexual violence in relevant settings. United Nations Action has produced a number of tools to assist national capacity-building efforts, including a study on strengthening the prevention of conflict-related sexual violence with non-State armed groups and policy briefs on responding to the psychosocial and mental health needs of survivors of sexual violence in conflict-affected settings. To bolster the United Nations system's capacity on the ground, United Nations Action has committed catalytic funding for women's protection advisers in key settings. These activities are supported by voluntary contributions to the United Nations Action multi-partner trust fund, which serves to incentivize cooperation across United Nations system entities on sexual violence in conflict. I urge donors to continue to support this important fund.

II. Current and emerging concerns regarding sexual violence as it relates to international peace and security

5. The term "sexual violence" refers to rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilization and any other form of sexual violence of comparable gravity perpetrated against women, men or children with a direct or indirect (temporal, geographical or causal) link to a conflict. This link to conflict may be evident in the profile and motivations of the perpetrator, the profile of the victim, the climate of impunity or State collapse, any cross-border dimensions or violations of the terms of a ceasefire agreement.

6. The country sections of the present report highlight several emerging concerns, including the perpetration of sexual violence against men and boys, the plight of children born as a result of rape and the practice of forced marriages by armed groups. Attention is also drawn to the nexus between sexual violence and the illicit extraction of natural resources, the displacement of civilian populations and the inadequacy of disarmament, demobilization and reintegration and security sector reform efforts.

7. The experiences in the Central African Republic, Côte d'Ivoire, the Democratic Republic of the Congo and South Sudan highlight the correlation between sexual violence and flawed disarmament, demobilization and reintegration and security sector reform programmes. For example, incidents of sexual violence have occurred where improperly vetted or trained security forces or ex-combatants have been redeployed or cantoned in proximity to civilian centres. There have been instances of armed groups deserting the national army and perpetrating sexual violence following failed integration initiatives. The exclusion of certain armed

groups from disarmament, demobilization and reintegration and security sector reform programmes in the Central African Republic, Côte d'Ivoire, the Democratic Republic of the Congo and South Sudan constitutes a significant threat to communities, as these groups continue to play de facto security management roles in areas of weak State authority.

8. It is increasingly evident that sexual violence has been used to forcibly displace populations, internally and across borders, in places such as Colombia, the Democratic Republic of the Congo, Libya, Mali and the Syrian Arab Republic. Women and children have been targeted while fleeing to camps in Somalia; after displacement, both inside and outside camps and settlements for refugees and internally displaced persons; and in villages and towns surrounding such camps, including in Côte d'Ivoire, the Democratic Republic of the Congo, Myanmar and the Sudan. Prevention and response is hampered by continued insecurity, the proximity of refugees to insecure borders, the presence of armed groups, access restrictions, the fact that survivors sometimes lack documentation and gaps in funding.

9. In some countries, available information indicates that there is a correlation between spikes in incidents of sexual violence and military activity linked to the illegal extraction of natural resources. In the Democratic Republic of the Congo, rape has been used by armed groups to punish civilians for preventing poaching and mineral trafficking. In Colombia, illegal armed groups have used sexual violence to forcibly displace populations from lucrative mining or agricultural zones and from areas of strategic importance for drug trafficking. Despite some efforts made by companies and Governments over the past 18 months to diminish armed groups' ability to generate income from conflict minerals, policymakers and industry leaders must redouble their efforts to better monitor the illegal extraction process.

10. Although women and girls are predominantly affected by sexual violence, men and boys too are victims of such violence. Sexual violence has been perpetrated against men and boys as a tactic of war or in the context of detention or interrogation, including in Afghanistan, Libya, Mali and the Syrian Arab Republic. The social consequences of this violence are acute. More monitoring and information regarding male victims and the types of sexual violence perpetrated against them is required to tailor prevention initiatives, sensitization campaigns, treatment protocols and services for survivors.

11. Forced marriage, rape and sexual slavery by armed actors has been documented in Mali, the Central African Republic, Somalia, South Sudan and Yemen. Parties to a conflict forcibly abduct women and girls, take them as wives and then rape and use them as sex slaves. Under the pretext of Islamic/sharia law, some parties to conflict in Mali, Somalia and Yemen compel families and communities to give women and girls to them in marriage; in these contexts too, rape and sexual slavery occur. In addition, there have been reports of survivors of rape in conflict being coerced into marriage with either the perpetrator or the perpetrator's family members. Compelling rape survivors to marry their attackers revictimizes them, results in impunity for the perpetrators and sends the message that sexual violence is socially acceptable.

12. There is little or no information regarding children born from wartime rape, the unique vulnerabilities they face or their experiences. Research suggests that mothers raising children born as a result of rape often live in extreme poverty and are ostracized by their relatives. The children too are stigmatized and face social,

psychological and socioeconomic consequences. Greater information and research is required for response initiatives. There is also an accountability gap when it comes to children born as a result of rape, as punishment against or redress by the perpetrator rarely includes reparations for the women who were victimized or the children who were born as a result of rape. Girls and women lack access to services that would allow them to safely terminate a pregnancy and are often forced to either carry out unwanted pregnancies resulting from rape or undergo dangerous abortions. Therefore, access to safe emergency contraception and services for the termination of pregnancies resulting from rape should be an integral component of any multisectoral response.

13. Sexual violence is almost universally underreported, for multiple reasons, including the risks faced by survivors, witnesses, humanitarian workers and journalists who come forward, including the risk of reprisal (see the case from Somalia highlighted in para. 68 below).

A. Information on parties to armed conflict credibly suspected of committing or being responsible for acts of rape or other forms of sexual violence

14. The information set out below is based on cases recorded and documented by the United Nations system and is therefore only indicative of the scope, scale and character of sexual violence committed against women, children and men.

Afghanistan

15. According to United Nations partners, patterns of sexual violence against women and girls have taken on a new character, one that is influenced by the nature of the ongoing conflict in Afghanistan. Sexual violence in this context includes abduction, assault, rape and the sexual abuse of women and children in communities under the influence or control of anti-Government elements, including the Taliban and other warlords. There has also been information about armed groups and tribal militia (*arbakis*), some of whom have been employed in the local police force, sexually assaulting women and girls.

16. A climate of impunity, a rule-of-law vacuum in many areas, a lack of faith in law enforcement authorities and of access to services and cultural taboos and stigma impede the reporting of incidents of sexual violence to law enforcement authorities and the prosecution of perpetrators. In many instances, children and women who report being victims of sexual violence are themselves subsequently accused of committing crimes, and publicly stoned or otherwise punished. Reports of such incidents have been received from Ghor, Kunduz, Sari Pul, Parwan and Paktya provinces. Survivors and non-governmental organizations assisting them could face reprisals. In some areas, alleged or convicted rapists are powerful commanders or members of armed groups or criminal gangs, or have links to such groups or influential individuals who protect them from arrest and prosecution.

17. The United Nations continued to receive reports of boys and men being assaulted or threatened with sexual violence by members of the National Directorate of Security and the Afghan National Police while in detention. Similar reports were received from boys detained in juvenile rehabilitation centres on national security-

related charges. Such violence is allegedly committed during interrogations to elicit a confession, obtain information or secure the collaboration of detainees.

18. There has been some progress in the implementation of the law on the elimination of violence against women and in the number of prosecutions of indicted sexual violence offenders compared to 2011. Under the auspices of the Ministry of Women's Affairs, a network of centres for the protection of women has been established in 19 of the 34 provinces of Afghanistan to ensure access to health, legal and rehabilitation services for survivors. However, the number of cases resolved through the judicial process and of convictions achieved using the law for the elimination of violence against women remains low.

19. Protecting civilians, including from sexual violence, should be central in transition and post-transition security frameworks adopted as the Afghan National Army and the Afghan National Police prepare to take greater responsibility in security operations. For this to happen, the Afghan national security forces need to be adequately resourced, trained and sensitized to address sexual violence, in compliance with the national Constitution and other legislative frameworks, including the law on the elimination of violence against women.

Central African Republic

20. Since 10 December 2012, when an offensive was started by armed groups under the rebel coalition Séléka, which is composed of factions of the Convention patriotique pour le salut du Kodro, the Convention des patriotes pour la justice et la paix en Centrafrique (CPJP), the Union des forces démocratiques pour le rassemblement (UFDR) and the Front démocratique du people centrafricain (FDPC), multiple allegations of sexual violence, including rape, perpetrated against civilians in areas under their control were received. On 11 January 2013, the parties signed a ceasefire agreement and a declaration of principles, which contain provisions that require the immediate halt of sexual violence, make sexual violence a prohibited act in the definition of ceasefire and require that sexual violence be addressed as an urgent priority in a programme agreed to by the parties for the consolidation of peace.

21. In the north and east of the Central African Republic, reports were received of sexual violence, including rape, against women and girls by armed actors such as CPJP, UFDR, FDPC, the Mouvement des libérateurs centrafricains pour la justice, the Union des forces républicaines and road bandits known as "Zaraguinas". Several cases of girls being forced into marriage with CPJP members were identified in June 2012 at the beginning of the process for the reintegration of children associated with armed groups; CPJP has been generally unwilling to release the girls. In the south-east, the abduction of women and girls by the Lord's Resistance Army (LRA) for use as sex slaves was reported by survivors, with a total of 85 abductions, including 8 of children, since January 2012. In Ndele, from 2 to 4 February 2012, a contingent of Chadian forces entered the town and committed acts of sexual violence against civilians. Cases were reported to the town prosecutor and documented. Some incidents of sexual violence by elements of the national security forces have also been reported.

22. My Special Representative visited the Central African Republic from 5 to 12 December 2012, during which time she met senior Government officials, including President François Bozizé and representatives of the armed forces, the police and politico-military groups. She also met representatives of women's

groups, non-governmental organizations and survivors of sexual violence in Bangui, Bria and Paoua. Severe capacity and security constraints have hampered monitoring and reporting efforts and prosecutions. There is also an acute lack of essential health and psychosocial services for survivors.

23. On 12 December, the Government of the Central African Republic and the United Nations signed two communiqués to strengthen cooperation in areas critical for the prevention of sexual violence and the provision of services for survivors (see S/2013/8, annexes). The Government made commitments on the timely investigation and prosecution of sexual violence crimes, among other issues. The preparation of an implementation plan based on the communiqués to immediately institute protection measures such as the identification and release of women and girls from all armed groups are key priorities going forward.

Colombia

24. Sexual violence continues to be perpetrated within the context of armed conflict in Colombia. In rural areas, women, particularly from Afro-Colombian and indigenous populations, indicated that sexual violence had been used by armed groups, including by the Fuerzas Armadas Revolucionarias de Colombia — Ejército del Pueblo and other illegal armed groups that have emerged since demobilization, to forcefully displace populations from lucrative mining or agricultural zones, or in corridors strategic for drug trafficking. The Government considers the illegal armed groups to be criminal gangs. Survivors and women's groups have indicated that many of the victims of sexual violence are children and that acts of such violence include abductions, rape, sexual slavery and forced abortions. Civil society groups have also indicated that pregnancies and children resulting from rape are significant concerns for which there has been limited response.

25. In a newly observed dynamic, members of illegal armed groups have used sexual violence against relatives and other kin to exert control over their families and those of their subordinates in specific neighbourhoods. In some cases, women heading households were forced to hand over their daughters to the leaders of these illegal armed groups. As a result, women and girls have fled their neighbourhoods and cities seeking protection.

26. The systematic targeting of women leaders and activists and their families with sexual violence or threats of sexual violence by members of illegal armed groups that have emerged since demobilization is of concern. Although the Victims and Land Restitution Law (No. 1448), which came into force on 10 June 2011, provides for reparations to victims of sexual violence, it excludes those who were targeted by illegal armed groups that the Government does not consider to be parties to the conflict and to which most cases of sexual violence are attributed. Due consideration should be given to how this could be addressed through the law's implementation.

27. There were reports of sexual violence against both females and males attributed to members of the military during the reporting period. In May, two boys were held and sexually assaulted at a military checkpoint in Meta. Afterwards, they were threatened and forced to sign a paper stating that they had been treated well. In July, a woman was repeatedly raped and threatened by members of the army, while in August a 13-year-old indigenous girl was sexually abused and photographed by four army soldiers who were later discharged from the army.

28. During the visit to Colombia conducted in May 2012 by my former Special Representative, the Vice-President of Colombia, Angelino Garzón, on behalf of the Government, committed to identifying strategies for strengthened technical cooperation between the Government and the United Nations to address sexual violence in conflict in the following three priority areas: fighting impunity; placing survivors at the centre of strategies and actions; and sharing knowledge on sexual violence and response initiatives. The Attorney-General reiterated his commitment to addressing impunity through investigations and prosecutions for sexual violence, but stressed that there were practical constraints, such as the enormous backlog of cases. In a meeting with military and police leaders, my Special Representative was informed that the security forces had adopted a zero-tolerance policy and codes of conduct to prevent human rights violations, including sexual violence, by its personnel.

29. On 12 September 2012, the President of Colombia presented a national policy for gender equality, which is expected to lead to the development of strategies on, inter alia, health, sexual and reproductive rights and the protection of girls and women who survive sexual violence.

30. The Ministry of Health has developed programmes to ensure access to health care and psychosocial support services for survivors. However, such access is difficult in conflict-affected rural areas, where most survivors of sexual violence are located. Other obstacles include a lack of awareness about order No. C-355 of 2006 of the Constitutional Court, which guarantees the right of survivors to access services for the voluntary interruption of pregnancies resulting from rape.

31. In its efforts to provide victims of sexual violence with access to justice and reparations, during the reporting period the Government presented several legislative initiatives, including an amendment to the Criminal Code. Other initiatives, such as the approval in June 2012 of a constitutional reform entitled "Legal framework for peace", could lead to de facto amnesties benefiting alleged perpetrators of human rights violations, including members of the security forces.

32. Implementing the strong legal framework and enforcing compliance with codes of conduct and the zero-tolerance policy through the chains of command of the security forces remain key priorities in Colombia. The United Nations looks forward to further dialogue on the implementation of the proposed elements for strengthened technical cooperation. It is also essential for sexual violence concerns to be explicitly reflected in ongoing ceasefire and peace negotiations.

Côte d'Ivoire

33. Although the security situation has improved since the violent post-elections crisis, some regions in Côte d'Ivoire, particularly the conflict-affected west, continue to experience low-intensity clashes involving armed men and militias that have yet to be disarmed. This is preventing the return of refugees and internally displaced persons. The forested areas on the border with Liberia are conducive to illegal cross-border movements of armed groups and weapons, including foreign combatants that are terrorizing civilians and may be engaged in illicit logging and mining. Furthermore, the presence of armed elements, including the Forces républicaines de Côte d'Ivoire (FRCI) and of traditional hunters known as "Dozos" in communities across the country, add to security- and protection-related concerns. Within this context, women and girls remain at high risk of sexual violence.

34. During the reporting period, an alarming pattern of sexual violence was observed in the west of the country, in particular in Duékoué, where armed men attacked civilians, especially women and girls, at checkpoints, during patrols and armed robberies targeting civilian commercial convoys. The United Nations also noted a worrying trend between May and July 2012 of unidentified individuals carrying out armed robberies in the Guémon and Moyencavally regions; the robberies were followed by rape. Rapes also occurred preceding the attack on the Nahibly camp for internally displaced persons. These attacks mainly targeted members of non-native communities. From December 2011 to September 2012, 248 cases of rape were documented, of which 80 per cent were allegedly perpetrated by armed men, including FRCI members, elements of militia groups[1] and Dozos. Ten cases involved the rape of children by FRCI elements. The slow disarmament of former militias and other combatants have left the western region and Abidjan awash with guns, exacerbating the situation with regard to sexual violence.

35. Addressing impunity remains a challenge. The judicial system is perceived to be slow, not fully independent and overloaded with cases from the post-elections crisis. Furthermore, some legal provisions are problematic. Article 354 of the Penal Code, for example, does not specify the elements that constitute rape, which results in inconsistent rulings. This is compounded by societal attitudes, which deem rape a minor offence, and the cost of the medical certificate required in rape cases, which is $100.

36. The Government, with United Nations support, is taking some important steps to address sexual violence. For example, it has developed a national strategy to combat gender-based violence that was finalized in July 2012 and is pending final approval by the Minister of Solidarity, Family, Women and Child Affairs. Also with United Nations support, the Ministry of Justice has developed a three-year national justice sector reform strategy that includes a focus on sexual violence.

37. The Minister of the Interior, Hamed Bakayoko, the Director General of the National Police, Bredou Mbia, and the Senior Commander of the Gendarmerie, General Kouassi Gervais, made a commitment to my former Special Representative — in accordance with the policy of President Alassane Ouattara to fight impunity — to implement prevention programmes and cooperate with the judiciary to prosecute perpetrators of sexual violence. The Minister of the Interior expressed his commitment to working with the United Nations to develop codes of conduct for the security forces and enhance training for the prevention of sexual violence.

38. The implementation of these commitments and effective disarmament, demobilization and reintegration and security sector reform strategies is critical to preventing sexual violence particularly in the context of the integration of militia forces into FRCI and command-and-control challenges. The Government should clarify its policy with respect to the Dozos, given their role in enforcing security in the west and their implication in sexual violence crimes. Due consideration should also be given to requests by civil society organizations that a special national court on sexual violence be established.

[1] For the names of the militia groups and their commanders, see the previous report on sexual violence in conflict (A/66/657-S/2012/33). During the current reporting period, however, it has not been possible to ascertain definitively the status of militia groups, the level of threat they pose as armed groups or whether they have been effectively disbanded or their command structures dismantled.

Democratic Republic of the Congo

39. The deteriorating security situation in the conflict-affected provinces of Orientale, North Kivu and South Kivu since the beginning of 2012, concomitant with the emergence of new armed groups, including the Mouvement du 23 mars (M23), and the resurgence of activities of armed groups such as the Forces Démocratiques de Libération du Rwanda (FDLR), Raïa Mutomboki and Mai-Mai Lumumba,[2] resulted in several documented incidents of sexual violence and the displacement of over 500,000 people in North Kivu. Acts of sexual violence, as well as other human rights violations, mainly occurred during attacks on villages. Two major patterns were observed: in the first, armed groups systematically targeted civilians to control areas rich in natural resources (as exemplified by the attacks in Epulu by Mai-Mai Morgan); and, in the second, armed groups and elements of the Forces armées de la République démocratique du Congo (FARDC) retaliated against communities, often on the basis of the real or perceived ethnicity of the survivors, for supposed political and economic gain (such as in the Masisi incident of August 2012).

40. Between December 2011 and November 2012, the United Nations documented that 764 people had become victims of sexual violence in conflict; 280 of them were children. Of the total, 242 were registered in Orientale Province, 278 in North Kivu and 244 in South Kivu. Approximately 50 per cent of documented cases were attributed to FARDC elements (345 victims, including 137 children) and the Police nationale congolaise (30 victims, including 20 children); 15 cases, including 1 child, were attributed to the Agence nationale de renseignements. The remaining 374 cases were attributed to FDLR (103 victims, including 19 children); Mai-Mai Lumumba (138 victims, including 42 children); the Forces de résistance patriotiques de l'Ituri (20 victims, including 10 children); the Forces de défense congolaises (FDC) (16 victims); M23 (20 victims, including 10 children); Raïa Mutomboki (28 victims, including 23 children); and other armed groups (46 victims, including 23 children), including the Allied Democratic Forces in coalition with the National Army for the Liberation of Uganda; LRA; the Nyatura armed group and various Mai-Mai militias.

41. On 24 and 25 June 2012, at least 28 women and 23 girls were reportedly raped during two attacks on the Okapi Wildlife Reserve of Epulu in Mambasa territory (Ituri district) by approximately 100 Mai-Mai Morgan elements.[3] The United Nations Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) also received allegations of several women and girls being abducted in Epulu during the same incident and used as sex slaves by the armed group. The attacks were part of a strategy by Mai-Mai Lumumba and Mai-Mai Morgan to terrorize and control mineral resources in the gold-rich Okapi Reserve. Efforts were made to provide survivors with access to health and psychosocial support services in the Mambasa, Mandima and Ninia health zones. Also in Orientale Province, in early November, at least 66 women and 4 children were reportedly raped by Mai-Mai Simba/Lumumba combatants in Mambasa territory. The victims were reportedly targeted during attacks on villages for their perceived collaboration with FARDC

[2] Mai-Mai Lumumba is composed of Mai-Mai Simba, FARDC deserters under the command of Col. Kahasha and then Major Luc, and poachers under the command of Paul Sadala, alias "Morgan", a poacher operating in North Kivu and Orientale provinces.

[3] In March 2012, Morgan's poachers became allied with Mai-Mai Simba, under the command of Kasambaza.

during operations against Mai-Mai Simba/Lumumba aimed at chasing the rebels from the mining area in southern Mambasa.

42. In Walikale territory (North Kivu), serious human rights violations, including at least 30 cases of rape, were reportedly committed between December 2011 and March 2012 during clashes between FDC (formerly the "Guides", who are Hunde and supported by General Bosco Ntaganda) and a coalition of FDLR combatants, and Mai-Mai Akilo in Walikale, Ntoto and Brazza. Of the 30 cases, 21 were attributed to FDLR and 9 to FDC. A large number of victims claimed to have been gang-raped.

43. In Masisi territory (North Kivu), five women and four girls were reportedly raped on 6 August 2012 near the village of Katoyi, during an attack by Raïa Mutomboki combatants. These rapes were committed as part of a series of seemingly ethnically motivated attacks aimed at forcibly displacing civilians. Those allegedly involved included Raïa Mutomboki (Tembo ethnicity) in coalition with Mai-Mai Kifuafua (Nyanga) targeting Hutu villages, and FDLR in coalition with Nyatura combatants (Hutu) targeting the Tembo ethnic group. Witnesses described Raïa Mutomboki elements arriving in villages and proclaiming that all Hutus should leave the village and not return. Several witnesses also reported cases of sexual mutilation on the remains of victims who had been killed, including four cases where combatants cut foetuses out of pregnant women.

44. At the end of November 2012, at least 126 women and 24 children had suffered sexual violence by FARDC soldiers in Minova and surrounding villages in Kalehe territory (South Kivu). Most of the violations occurred while FARDC retreated from Goma following that city's takeover by M23. Eleven FARDC elements have been arrested to date and are awaiting trial, but only two have been charged with rape. Health structures in Minova and surrounding villages were well staffed with trained medical personnel and well equipped with post-exposure prophylaxis kits for HIV.

45. Two verified cases of sexual violence against men were recorded. In one case, a man who had been arrested by Police nationale congolaise was raped by a FARDC sergeant while in custody. The other case was attributed to a female combatant presumably belonging to a Mai-Mai group.

46. Although an increasing number of survivors of sexual violence are receiving multisectoral assistance, it continues to be difficult to access health structures and obtain free treatment because of several, interrelated factors, including the remoteness of some areas, insecurity, conflict and fear of retaliation. It is noteworthy that in 2012 the Government validated national protocols on medical assistance, psychosocial support, legal referral and socioeconomic reintegration aimed at establishing minimum standards of quality of care for survivors.

47. The Government has made efforts to arrest and try perpetrators. Between December 2011 and November 2012, at least 49 FARDC elements were sentenced for sexual violence-related crimes, including rape, in conflict-affected provinces. Regarding the Epulu attack of June 2012 attributed to Mai-Mai Lumumba elements, an arrest warrant was issued against Paul Sadala, alias "Morgan", on charges of war crimes and crimes of sexual violence and on 28 November, in Mambasa territory, two Mai-Mai Simba combatants were sentenced to life imprisonment for various charges, including rape. Through the United Nations-supported prosecution support

cells, in Lubero territory (North Kivu), hearings of 14 sexual violence appeal cases pending for more than four years were held in mobile courts in Beni and Butembo, leading to the upholding of 10 convictions. In Kabare territory (South Kivu) investigations into allegations of murders and summary executions, looting and mass rapes committed in 2010 by FARDC elements were completed. One FARDC lieutenant was convicted and sentenced to 20 years' imprisonment and three others were convicted in absentia and sentenced to life imprisonment.

48. While there has been limited progress in terms of holding perpetrators accountable for the Walikale and Bushani mass rapes committed in 2010 and 2011, the arrest in September 2012 of Major Karangwa Alphonse Musemakweli, who was allegedly involved in sexual violence in Walikale, was positive. Unfortunately, Musemakweli absconded during a mass escape of detainees from Goma prison on 19 November. Captain Sadoke Kikunda Mayele, who had been accused of the Walikale rapes, died in prison in Goma in August 2012. With regard to the five army officers involved in serious human rights violations, including sexual violence, and whose names were on a list given to the President by a Security Council delegation in May 2009, one was killed, one was acquitted and the whereabouts of a third is unknown. A fourth, General Kakwavu, is currently undergoing trial before the Military High Court and the trial of the fifth, a FARDC officer, is pending. In 2009, the Minister of Justice and Human Rights presented a draft law for the creation of a reparation fund for victims of sexual violence, but this legislation has not yet been introduced to Parliament.

49. The United Nations continues to support the Government's efforts to implement its national strategy to combat sexual and gender-based violence. Regarding security sector reform, in August 2012 the Minister of Defence officially validated the training of trainer manuals on human rights and sexual and gender-based violence; 150 FARDC officers have benefited from the training to date. The Government has stated that most incidents of sexual violence attributed to FARDC were committed by former elements of armed groups that have been integrated into FARDC and the Police nationale congolaise, emphasizing the need for screening and vetting during army and police integration processes. Furthermore, as long as FARDC soldiers are irregularly or inadequately paid, they will be more prone to committing exactions against communities.

Mali

50. There has been an increase in reports of cases of sexual violence, including the rape of women and girls, since the crisis that began in January 2012, was followed by the occupation in March of the northern region (Tombouctou, Gao, Kidal and part of Mopti) by rebel groups and was bolstered by the influx of heavily armed Tuareg fighters returning from Libya. From April to June in particular systematic and widespread sexual violence was used to punish, intimidate and subjugate women and girls; such violence was perpetrated by the Mouvement national de libération de l'Azawad (MNLA), led by former colonel of the Libyan army Mohamed Ag Najim, as well as by Islamist groups such as Ansar Dine, led by Iyad Ag Ghaly, Al-Qaida in the Islamic Maghreb (AQIM), led by the Algerian Yahia Abou al-Hamam, and the Mouvement pour l'unicité et le jihad en Afrique de l'Ouest (MUJAO), composed of foreign nationals commanded by a Mauritanian, Hamada Ould Khairou.

51. A total of 211 cases of sexual violence (including rape, sexual slavery, forced marriage, torture and sexual violence in places of detention, gang rape, abduction and sexual violence during house-to-house operations or at checkpoints) have been reported since January 2012. The majority of women and girls refused to report for fear of retribution and banishment by their spouses and the community. Owing to reports of grave violations in the north, the Human Rights Council mandated the deployment of a United Nations human rights assessment mission to Mali in November 2012 (see A/HRC/22/33).

52. In rebel-controlled zones, rape was used as a tactic of war, contributing to mass displacement from the regions of Gao, Tombouctou and part of Mopti. Reports by survivors displaced from these regions indicate a pattern of women and girls being abducted and raped, including gang-raped, by rebels. The practice of "requisition" consists of abducting women and girls from a district to spend the night in camps. Each night, a different district is required to provide a certain number of women and girls to the rebels. The nature of the attacks and the fact that they were committed in rebel bases and camps, suggest that these acts were condoned by commanders. From 31 March to 15 April 2012, 50 women and girls from nine districts in Gao and Gabero were the targets of sexual violence. Survivors identified perpetrators as light-skinned men, some of whom drove vehicles displaying the MNLA flag. In Menaka, a city under MNLA control, it is estimated that one in five girls and one in six women have been raped. In September 2012 alone, 21 cases of rape were recorded; in these cases too the victims identified light-skinned men as the perpetrators. Two cases of rape by MNLA rebels are known to have resulted in pregnancies.

53. Women and girls from the Bella community were particularly targeted by the rebel groups. The Bella people are historically considered to be slaves of the Tuaregs. The practice of slavery, including sexual slavery, of the Bella people is said to continue in northern Mali, despite being banned by the Government.

54. Cases of women and girls being forced to marry members of Islamist rebel groups, in particular the Ansar Dine, AQIM and MUJAO, were reported in all regions under their control. Parents were threatened into handing over their daughters for marriage to members of these groups, marriages that resulted in rape, sexual slavery and, in some instances, death. These women and girls are often married and then raped repeatedly by several men in rebel camps. These groups have also beaten, flogged and punished women for engaging in behaviour decreed as forbidden under their interpretation of sharia law.

55. Multiple cases of sexual violence were reported during the attempted countercoup carried out on 30 April 2012 by Mali's parachutist regiment, known as the "red berets", which is loyal to deposed President Amadou Toumani Touré, against members of the "green berets", who are loyal to the putchists led by Captain Amadou Sanogo. Corroborated reports indicate that, in reprisal, members of the "green berets" allegedly committed dozens of rapes against the spouses and daughters of the "red berets" from the Djicoroni-Para battalion. These cases have not yet been investigated by the Government. Furthermore, "red berets" detained in Kati camp were allegedly forced to rape each other by elements of the "green berets" supervising the cells.

56. In northern Mali, humanitarian assistance and services for survivors of sexual violence have been limited to urban centres and their periphery. In the months

following the crisis, the United Nations supported the Government and national partners in Koulikoro, Bamako, Segou and Mopti regions, among others. Four centres offering psychosocial and legal services to survivors of sexual violence were created or reinforced. However, only a few survivors are able to access these services owing to insecurity, the control of hospitals by armed men, the lack of trained personnel, the high cost of services, a weak State presence and fear of retribution. Prevention and sensitization messages against sexual violence have been aired on public and private media outlets, and disseminated.

57. The Government has taken several measures, including issuing communiqués condemning sexual violence. The national authorities have also referred the situation in Mali to the International Criminal Court. On 12 October, the Minister of Justice issued an administrative circular to the judicial authorities mandating them to prioritize prosecutions for crimes of sexual violence committed in the context of the conflict. Furthermore, a joint programme is being implemented by the Ministry of Defence, with United Nations support, to build the capacity of the security forces and former combatants to prevent and protect women and girls from sexual violence.

Myanmar

58. Following decades of conflict in the border areas, the peace process in Myanmar has moved forward and a number of ceasefire agreements have been signed between the Government and armed groups. In Kachin State, allegations of sexual violence, including rape committed by Government forces, remain a concern. Large numbers of people remain displaced along the south-eastern and eastern borders. The communal conflicts that occurred in Rakhine State in June and October 2012 also resulted in mass displacement. In these contexts, allegations of sexual violence against women and girls were received but have not been independently verified as the Government has not allowed access to these areas. In Rakhine State, the situation is further complicated by limitations imposed by local communities impeding United Nations humanitarian operations and the provision of assistance to survivors. Lack of access to all conflict-affected areas is an issue that has been raised repeatedly with the Government by senior representatives of the United Nations. In February 2013, the Government assured that it would once again give the United Nations and international agencies access for the provision of humanitarian assistance in Kachin State.

59. The particular case of Sumlut Roi Ja, who was allegedly abducted and gang-raped by military personnel in Kachin State in October 2011, remains of concern. My former Special Representative requested the Government to investigate the case and urged for Sumlut Roi Ja and the three other women also allegedly being held to be released and for the perpetrators to be held accountable. The Government denied receiving any complaints from the women's family but instructed the relevant authorities to undertake a thorough investigation and take action against those found to have committed the crime. On 26 January 2012, a writ of habeas corpus submitted by the victim's husband to the Supreme Court was rejected on the grounds of insufficient evidence.

60. The absence of United Nations and partner organizations in the areas of concern hinders efforts to monitor and report incidents of sexual violence and provide services to survivors. I reiterate the call on the Government to allow access to all conflict-affected areas, uphold a principle of no amnesty for sexual violence

crimes and create a environment in which issues of sexual violence can be addressed through research, advocacy, policy dialogue and national capacity-building.

Somalia

61. Despite recent political progress and security gains in Somalia, decades of conflict, widespread violence and insecurity, compounded by drought and massive displacement, have made women and girls extremely vulnerable to sexual violence. Alarmingly high numbers of incidents continue to be reported. In Mogadishu and surrounding areas, between January and November 2012, United Nations partners and service providers registered over 1,700 rape cases. Almost one third of the recorded incidents were against children, some of whom were boys. Analysis suggests that there is a link between the spike in the number of incidents recorded between April and July and the intensification of military operations against Al-Shabaab in the Afgoye and Bala'd corridor near Mogadishu. The increase registered in August may be linked to the presence of armed elements in settlements for internally displaced persons and surrounding areas in the run-up to the selection of the post-transition leadership.

62. Acts of sexual violence continue to be committed against internally displaced women and girls in settlements in Mogadishu and surrounding areas. In some cases, the victims are subjected to repeated and systematic sexual violence. Reportedly, among the perpetrators are members of organized armed groups and Somali security forces. Survivors are often unable to identify perpetrators as belonging to a specific armed group or security branch, or are afraid to do so for fear of retaliation. This problem is exacerbated by the fact that military uniforms are easily available on the market. Furthermore, due to inadequate or irregularly paid salaries, members of Somali security forces often operate as private security providers while off duty. The majority of these attacks are carried out with automatic weapons, reaffirming that arms are widely available and that disarmament and arms control mechanisms are urgently needed.

63. Somali refugee women and girls were also targeted for sexual violence while passing through territory controlled by insurgent militias in an effort to flee to the border. Furthermore, reports from internally displaced persons and refugees from Al-Shabaab-controlled areas indicate that many women and young girls were being forced into marriage.

64. Sexual violence continues to be underreported and impunity is widespread. Access to the formal justice system, especially in rural areas, is extremely limited. Police and court officials must be paid to formally file and process a case. The Penal Code criminalizes rape, but considers it a crime against morals rather than against the person. As a result, many women do not trust the system. Most survivors depend on traditional justice mechanisms, including customary and sharia law, which are often not supportive of survivors' rights. There are reports of cases settled through traditional mechanisms compelling victims to marry their perpetrator. The United Nations is undertaking work to facilitate the provision of legal support to survivors and engaging with the police to improve their response, including through the increased presence of female police officers.

65. As of November, the Military Court had opened 13 cases of sexual violence against members of the Somali security forces (two against members of the National Security Authority, one against a member of the Somali National Police, three

against militia members and the remaining against members of the Somali National Army). Nine of the cases are pending; three have resulted in the acquittal of the defendant and one in a death sentence.

66. The United Nations and partners have been able to establish referral systems for basic psychosocial support and health services in some areas. However, quality standards are low and access to health services in rural areas in Somalia is extremely limited.

67. The task force on sexual violence announced by the Prime Minister of the former Transitional Federal Government in December 2011 was established but has never met. I urge national authorities to get this mechanism under way with a view to addressing the problem in a comprehensive manner.

68. The trial and sentencing on 5 February 2013 of a woman who alleged being raped by members of the security forces and the journalist who interviewed her raises serious concerns about the targeting of those who report such crimes and sends the wrong signal to perpetrators of sexual violence. I urge the Government to fully investigate allegations of sexual violence and hold those responsible to account.

South Sudan

69. During the reporting period, many incidents of sexual violence took place in South Sudan in the context of the intercommunal violence that broke out in Jonglei State and the civilian disarmament process that followed it. It is estimated that, in December 2011, between 6,000 and 8,000 armed youth, primarily from the Lou Nuer ethnic group, systematically launched a series of attacks over 12 days on areas inhabited by the Murle ethnic group. From 27 December 2011 to 4 February 2012, small groups of armed Murle youth launched retaliatory attacks on Lou Nuer and Bor Dinka areas. Hundreds of people were killed or injured, tens of thousands were displaced and women and children were abducted by both groups, with sexual violence often occurring. The abduction of women as a way to acquire a wife without paying a bride price has been a trigger for violence in Jonglei State. Women and children are sold at prices equivalent to cattle. Abductions lead to forced marriage or assignment to a captor, amounting to rape and sexual slavery. Of the 110 children who were reunited with their families and communities with United Nations support, 21 girls aged 14-17 reported having been taken as wives by their abductors.

70. To address the intercommunal violence, in March 2012 the Government launched a civilian disarmament campaign in Jonglei State. Although largely peaceful, incidents of sexual violence were reported as a result of the presence of approximately 15,000 additional Sudan People's Liberation Army (SPLA) soldiers and 5,000 South Sudan Police Service Auxiliary Forces. A total of 14 rapes and 8 attempted rapes were documented between mid-March and mid-August 2012 in Jonglei State, of which 12 were in Pibor County. Six of the victims were girls under the age of 18. SPLA soldiers were allegedly responsible in all the cases. The South Sudanese authorities arrested and convicted seven SPLA soldiers for the rapes in Pibor and Bor counties.

71. The launch, on 1 November 2012, of the national gender policy strategic framework by the Ministry of Gender, Child and Social Welfare represents a positive development. Training for newly appointed senior SPLA national monitors

has been conducted and a special protection unit was established in the social welfare directorate of the South Sudan National Police Service. Over 200 community health workers have been trained on the management of rape cases.

Sudan (Darfur)

72. In the context of Darfur, sexual violence is reported to have occurred mainly against internally displaced women and girls living in and around camps. The armed clashes between the Sudanese Armed Forces and armed movements have regularly resulted in insecurity among the local populations, displacing people from their homes and villages and separating families. Insecurity is further exacerbated by the proliferation of small arms in camps for internally displaced persons, towns and villages. The United Nations observed that, in general, whenever armed clashes occurred between two or more groups, incidents of sexual violence were reported within a week or two of such attacks.

73. During the reporting period, 121 cases of sexual violence were reported to the African Union-United Nations Hybrid Operation in Darfur, of which 72 cases involving 99 victims (52 children, including 9 boys) were documented. The most-reported offences were: rape, including gang-rape; abduction for sexual purposes; sexual slavery and injuries/assaults related to sexual violence; and attempted rape. For the first time, two cases of sexual slavery were recorded: two children were abducted and kept in captivity by Arab militia members for three and eight years respectively in South Darfur, before escaping. In the 72 documented cases of sexual violence, 13 persons were abducted and subjected to sexual abuse. The lack of access to areas controlled by armed movements remains a concern as it hinders the ability of the United Nations to monitor and report on sexual violence in those areas.

74. In one indicative incident in August, the killing of the commissioner of Alwaha locality in Kutum, North Darfur State, triggered retaliatory attacks on the Kassab camp for internally displaced persons, resulting in over 30 cases of rape, of which 7 involving 10 victims (including 3 children) were verified by the United Nations.

75. Women and girls are particularly vulnerable during the cultivation and harvest season between June and November, when they spend more time outside their settlements and internally displaced persons camps. A total of 35 cases of rape were reported involving attacks on women and girls engaged in farming, fetching water or firewood or returning from the market or school. In 15 cases, women and girls were attacked inside their homes or neighbours' houses, a continuation of a trend observed during the last reporting period.

76. The United Nations observed a marginal decrease in the number of reported cases of sexual violence during the preceding 10 months compared with the previous review period (December 2010-September 2011). However, this does not necessarily represent a decrease in the occurrence of violations. Underreporting of cases may be attributed to the stigma associated with rape, shame and fear of reprisal, denial that rape occurs, intimidation by many Government officials and the inability to access some conflict-affected areas.

77. Measures have been taken to enhance protection. For example, United Nations military team sites were established in particular localities and more United Nations patrols (including night patrols) took place in and around camps for internally displaced persons, towns, water sources, firewood collection points, marketplaces

and farms. Female United Nations police advisers were deployed to team sites. Also important are the community dialogue initiatives that were implemented in Darfur's four states, and the community-level protection mechanisms, such as the establishment of community policing centres in camps, that were put in place by internally displaced persons. Engagement with religious leaders has resulted in the readiness of imams in South Darfur to support sexual violence prevention and response efforts, including through the delivery of specific messages during Friday prayers.

78. It remains difficult for survivors, the United Nations and national authorities to ascertain the identity of alleged perpetrators. Survivors often reported that perpetrators were "men in military uniform", "armed men" or "armed Arab men". These descriptions could point to various actors, including members of armed groups or Government military or police personnel, which means that the information is insufficient to clearly identify organized armed forces or groups. The fact that, as mentioned in some information received by the United Nations during fact-finding missions, boys aged 12-16 allegedly perpetrated sexual violence, remains of particular concern. This trend was also noted in my previous report (A/66/657-S/2012/33).

79. In 13 cases, survivors were able to clearly identify the alleged perpetrators by following footprints leading to specific military bases or through their uniforms. The perpetrators in these cases included members of the security agencies of the Government of the Sudan, specifically the Central Reserve Police, Sudanese Armed Forces and the national police.

80. In a number of these 13 cases, investigations by Sudanese authorities took place, but there was no significant disciplinary action or effective response through the official chain of command and the alleged perpetrators were transferred to another duty station. Of the 72 incidents documented by the United Nations, 57 were also reported to the national police by the survivors. In 45 cases, some action was taken, resulting in the arrest of 27 perpetrators and the referral of 9 cases to the courts, which led to the sentencing of 3 perpetrators. In 7 cases, the alleged perpetrators were released, and 3 cases resulted in out-of-court settlements. Impunity remains a major challenge, particularly when the alleged perpetrators are Government soldiers or police personnel.

81. During the reporting period, the United Nations had no access to areas of ongoing military operations or was denied access to locations of armed clashes, such as Abu Deleg in February, Abu Gamra in March and North Darfur. This has severely restricted the provision of already limited services for survivors, further exacerbating the consequences of the expulsion of non-governmental service providers in March 2009.

82. The Government has continued its efforts to address sexual violence through institutional arrangements. During the reporting period, it continued to implement, with the United Nations and other partners, the national strategy on combating violence against women in Darfur. The establishment of Government police family and child protection units in some localities in Darfur is also a positive development. United Nations police advisers are co-located in some of those units to mentor and support their national counterparts in addressing sexual violence. The Government has also confirmed its commitment to the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children of the International

Conference on the Great Lakes Region. With United Nations support, the Government has also conducted capacity-building initiatives for national police and military personnel, including state committee personnel, prosecutors and judges, to address sexual violence.

83. Continued support for community dialogue initiatives, the enhancement of community protection measures and the engagement of religious and traditional leaders to address sexual violence are among the key priorities going forward. I also encourage the Government to officially endorse and implement the national action plan to combat violence against women.

Syrian Arab Republic

84. The ongoing conflict in the Syrian Arab Republic has resulted in displacement and increased security risks, including of sexual violence, among refugees and internally displaced persons. During refugee assessments and the provision of services by United Nations partners in the area, individuals cited rape or the fear of rape by armed men, as well as kidnapping, as the main reasons why women and girls fled conflict-affected cities. However, given the high level of insecurity and the access constraints, the United Nations has been unable to determine the scale and scope of sexual violence inside the Syrian Arab Republic.

85. The independent international commission of inquiry on the Syrian Arab Republic, in its reports of 16 August 2012 (A/HRC/21/50) and 5 February 2013 (A/HRC/22/59), while noting the challenges of verifying information during its investigations owing to its inability to enter into the country, pointed to two distinct patterns relating to sexual violence, namely: the occurrence of sexual violence during house searches and at checkpoints following the advance of Government forces and Government-controlled militia (Shabbiha) into towns and villages and the perpetration of rape and torture in the context of detention. The commission identified members of Government forces and Shabbiha as the main perpetrators. United Nations partners add that activists and their family members, as well as family members of opposition fighters, have been increasingly targeted.

86. Between February and June 2012, the commission recorded numerous incidents of sexual violence committed by Government soldiers and Shabbiha elements in Homs, Al-Haffe (Al-Ladhiqiyah), Az Zabadani (Dimashq) and various locations in Hamah, Idlib and Aleppo governorates. In several egregious incidents, Government soldiers and Shabbiha elements allegedly entered homes and raped women and girls in front of male family members; they sometimes killed the victims afterwards and forced men at gunpoint to rape their wives and daughters. The Commission concluded that there are reasonable grounds to believe that such acts of sexual violence, perpetrated in connection to the armed conflict, could amount to war crimes. The commission also found that the rapes that occurred during the military operations in Homs in February and March 2012 and in Al-Haffe in June 2012, as part of a widespread or systematic attack against a civilian population, could be prosecuted as crimes against humanity.

87. Reports of sexual violence, including rape, committed in the context of detention mainly against men and boys as part of torture or ill-treatment were also recorded by the commission. Two male members of the same family, detained from January to March 2012 at the offices of the Political Security in Damascus, described intelligence agents forcing them to rape each other. Other detainees

reported being forced to strip and remain naked for prolonged periods or having received threats of rape against them and their female family members. Reports of women raped in detention centres in Al-Ladhiqiyah and Hamah (March 2012) and in Dar'a (May 2012) were also received. In all instances, the women were accused of supporting the anti-Government armed groups, being involved in protests or being related to those involved with the armed groups or in protests. The commission found that such acts were perpetrated as part of a widespread attack directed against a civilian population, pursuant to or in furtherance of an organizational policy. Further, the Committee against Torture, in its concluding observations on the Syrian Arab Republic, dated 29 June 2012, also expressed grave concern about the extensive reports of sexual violence committed by public officers, including against male detainees and children (see CAT/C/SYR/CO/1/Add.2, para. 20 (c)).

88. The United Nations is also concerned about allegations of the abduction and rape of women and girls by armed opposition groups in cities, villages and neighbourhoods perceived to be pro-Government. The commission has pointed to the presence of foreign fighters, including some affiliated to Islamist groups, who have joined armed opposition groups in Idlib, Al-Ladhiqiyah and Aleppo governorates. The United Nations has not been able to collect or verify information on human rights abuses, including sexual violence, committed by these armed groups. However, if patterns of sexual violence, including rape, attributed to these groups are confirmed, it may result in the parties being listed in the annex to the present report. The Government has committed itself to facilitating a visit to the Syrian Arab Republic by my Special Representative in 2013.

89. Assessments by United Nations partners and service providers in the region, including in Iraq, Jordan, Lebanon and Turkey, have identified adolescent girls and young women refugees from the Syrian Arab Republic as being at a heightened risk of and vulnerability to coerced marriage as households seek to lessen the burden that dependents place on their rapidly dwindling resources. Reports of female survivors of rape being coerced into marrying male members of their family or community were received. Families perceive this as a way of protecting girls and saving their honour.

90. While noting that host countries are economically stretched and struggling to meet the humanitarian and protection needs of refugees, service providers have highlighted a significant gap in the provision of support services for survivors of sexual violence. It has been reported that women and girls have been forbidden from accessing these services by their families. Furthermore, there are concerns about attempts to identify survivors because of the risks involved. Survivors are very unlikely to seek support because of the risk of being targeted for an honour killing by their families, shame and the fear of facing a continued cycle of physical and sexual violence, divorce or abandonment by their husbands. At the time of writing, some services are starting up and coordination mechanisms have been established to enable multisectoral prevention and response strategies to sexual violence, including forced marriage.

Yemen

91. Radical armed groups, including Ansar al-Shari'a, an Islamist armed group that is linked to Al-Qaida in the Arabian Peninsula and operates in the southern Abyan governorate and elsewhere, reportedly committed a range of human rights

abuses, including by forcing young girls into marriage and, subsequently, into sexual slavery and exploitation. United Nations partners reported that up to 100 girls in Abyan have been forcibly married to leaders or members of the armed groups. A bride price reportedly as high as $5,000 is paid to the girls' families, whose average monthly income is several thousand rial ($20-25). In other cases, girls were offered as a token of appreciation by their brothers who had been allowed to join the armed groups. The majority of girls come from Yafe'a, Lawdar and Khanfar districts in Abyan. Many have been impregnated following their marriage. The girls and their families are reluctant to report the abuses for fear of reprisal by members of the armed groups still present in Abyan, among other reasons.

B. Sexual violence in post-conflict situations

92. In my previous report (A/66/657-S/2012/33, sect. IV), I outlined initiatives taken in a number of post-conflict settings to address the consequences of wartime sexual violence and the challenges faced in ensuring justice and effective remedies to survivors. The paragraphs below contain updates on those initiatives and additional relevant information.

Bosnia and Herzegovina

93. The Programme for Victims of Wartime Rape, Sexual Abuse and Torture in Bosnia and Herzegovina, which will ensure legal and psychological support to victims, strengthen the capacities of service providers, sensitize the general public and build partnerships between governmental and non-governmental sectors, will be submitted to the Council of Ministers for adoption in 2013. Bosnia and Herzegovina will for the first time have a programme that foresees a more coherent and efficient service provision based on a partnership between the governmental and non-governmental sectors. However, gaps remain, including in the legal framework, which has not adequately dealt with legal aid or reparations for victims of conflict-related sexual violence.

94. In line with the letter dated February 2012 from my former Special Representative to former Chairman of the Presidency of Bosnia and Herzegovina Željko Komšić, I urge the Government to fast-track the prosecution of perpetrators of sexual violence, to enact legislation to ensure access to services and reparations for all victims, and to appoint a senior adviser to support victims throughout the legal process.

Liberia

95. Under the framework of the joint programme of the Government of Liberia and the United Nations on prevention responses to sexual and gender-based violence, efforts have been made to improve institutional structures for addressing such violence. This includes efforts to improve police mobility, investigation and reporting, as well as the establishment of an endowment fund to support survivors. Religious leaders, in collaboration with the Inter-Religious Council of Liberia, have signed a code of conduct to protect women and children in their communities. Traditional leaders have also committed to preventing other forms of sexual violence.

96. Critical impediments remain, however, including with regard to access for survivors to the formal justice system. Given that a majority of reported sexual

violence cases are perpetrated against children under 12, I urge the Government, inter alia, to introduce special procedures and build the capacity of justice and security sector actors to deal with children as victims and witnesses.

Libya

97. Since the end of the conflict in Libya in October 2011, the Government has made few tangible commitments to address the problem of conflict-related sexual violence. With the exception of the pending trial of former Prime Minister Al-Baghdadi al-Mahmoudi, whose charges reportedly include crimes of mass rape in Zuara during the conflict, the Government has not initiated investigations or new legislation, policies, programmes or services for survivors. There is a near-total absence of services, which remains a key factor in survivors not coming forward. The Ministry of Social Affairs has acknowledged the need to provide such services but requires support in this regard.

98. The United Nations also remains concerned about acts of revenge carried out against those accused of perpetrating acts of sexual violence during the conflict. Many men from Tawergha were arrested on allegations that they were involved in rape, allegedly by order of authorities in Misrata. In some cases, they were allegedly tortured or suffered other forms of mistreatment to obtain confessions. These cases have not been reviewed by any judicial authorities and the men remain in arbitrary detention.

99. I urge the Government to foster public awareness and dialogue and to develop a comprehensive strategy to address sexual violence. I also urge national authorities to ensure that the February 2012 law on transitional justice establishing a fact-finding and reconciliation commission will address conflict-related sexual violence in its mandate, including with regard to reparations for victims.

Nepal

100. The completion of a number of important transitional commitments, including the integration of Maoist combatants into the Nepalese army is commended. However, I remain concerned about accountability and redress for survivors of wartime sexual violence. The promotion to senior ranks of members of security forces accused of involvement in human rights violations, including sexual violence, such as Col. Raju Basnet (commander in 2003 of the Bhairabnath Battalion), is also of concern. The Government has clarified that no allegation has been filed against any high-level security officials, including Col. Basnet, on offences related to sexual violence in any competent authority in Nepal.

101. The establishment of a truth and reconciliation commission has been delayed. Furthermore, it is notable that the Government policies aimed at providing interim relief to victims of conflict excluded victims of sexual violence. I urge national authorities to address these issues as a matter of priority.

Sierra Leone

102. The passage on 23 August 2012 of the Sexual Offences Law, which introduces stiff minimum sentences for perpetrators of sexual violence, is a significant step forward in terms of addressing impunity. The Ministry of Social Welfare, Gender and Children's Affairs launched two policy documents on 19 November to strengthen

multisectoral support: the National Action Plan on Gender-based Violence and the National Referral Protocol for Victims of Gender-based Violence. There has also been engagement with traditional leaders to form community support groups for sexual violence survivors, as well as a memorandum of understanding signed between paramount chiefs and Government child welfare committees to prevent and respond to violations against children, including sexual violence. In partial fulfilment of the recommendations of the Truth and Reconciliation Commission of Sierra Leone, there have been some reparations for sexual violence victims during the civil war. However, a key challenge remains the practical implementation of policies and the dedication of sufficient resources for a comprehensive response.

Sri Lanka

103. The Government has acknowledged that people living in conflict-affected areas, particularly widows and other female heads of household and children, are more vulnerable to sexual violence given the long-term damage to their social protective fabric. The Government has established special women's protection units at police stations (staffed with women police officers) and women's centres in camps for internally displaced persons to provide counselling services. There are also help desks for dealing with incidents of sexual and gender-based violence located in hospitals in districts directly affected by conflict. In addition, the Government stated that of the 375 incidents of sexual violence that were reported during the conflict and post-conflict period (January 2007-May 2012) only 11 were attributed to members of the security forces, against whom legal action has been taken. However, the United Nations and other agencies working in post-war areas remain concerned about accountability for sexual violence crimes; incidents of sexual harassment and abuse against women and girls; a military presence; and limited national protection mechanisms, including few women's shelters and counselling facilities. The Government is taking steps to address these issues.

104. The National Action Plan for the Promotion and Protection of Human Rights includes a section on addressing sexual violence. I look forward to the Government expediting the implementation of the National Action Plan, particularly in conflict-affected areas, and urge the Government to address the fact that the action plan that was launched in August 2012 to respond to the report of the Commission of Inquiry on Lessons Learnt and Reconciliation includes no action directly providing redress for those affected by sexual violence during the war.

Timor-Leste

105. In February 2012, the National Parliament commenced the final reading of the law for establishing a framework for a reparations programme for victims of past human rights violations, including rape and sexual slavery, and the associated draft law for creating a memory institute. I urge national authorities to enact the law, which would provide the first comprehensive form of redress for survivors of sexual violence in Timor-Leste, as soon as possible. I commend the adoption by the Council of Ministers on 29 May 2012 of the national action plan on gender-based violence, which represents the first multisectoral approach for preventing such violence, addressing the needs of survivors and holding perpetrators accountable. I encourage the Government to dedicate the resources necessary for its timely implementation.

C. Other situations of concern

106. In Guinea, in February 2012, the Government appointed, with United Nations support, a panel of judges to investigate and prosecute incidents of sexual violence, including rape, committed in the Conakry national stadium in September 2009. Charges have been filed against six army officers, including Lieutenant Colonel Moussa Tiegboro Camara, a minister and the current Director of the National Agency for the Fight against Drugs, Organised Crime and Terrorism, and Colonel Abdoulaye Cherif Diaby, former Minister of Health, for their alleged role in the incident. Both officers have appeared before the panel. The panel has also issued an arrest warrant for Lieutenant Abubakar Sidiki Diakite, the former head of the Presidential Guard, who is still at large. Over 250 victims and associations have been heard by the panel. Due to the position held by Camara in the Government and his senior rank in the military, it is important that the Government ensure non-interference in the legal proceedings and that the protection of all actors, including judges, witnesses and victims, is guaranteed.

107. During the reporting period, 150 judicial police officers and 50 magistrates and justice personnel, as well as members of the military and the defence forces, were trained on human rights to prevent and respond to sexual violence in the framework of Guinea's capacity-building programme for security sector actors. Units dealing with gender-based violence were established in police and gendarmerie stations in Conakry and Kindia regions, in the Ministry of Defence and in the Ministry of Security and Civilian Protection. With support from the Peacebuilding Fund, the code of conduct for the military forces has been revised. Training was also conducted for service providers. In total, 83 complaints against perpetrators of sexual violence were filed in various courts throughout the country.

108. In Kenya, major reform efforts have been undertaken based on the recommendations of the Independent Review Commission, commonly referred to as Kriegler's Commission, and the Commission of Inquiry into Post-Election Violence, commonly referred to as the Waki Commission, which were established following the 2007-2008 post-election violence. In February 2012, the Office of the Director of Public Prosecutions appointed a multi-agency task force to review and re-examine post-election violence files. It evaluated 150 cases of sexual and gender-based violence and found that sexual offences had not been properly reported, denying survivors the opportunity to press charges against their attackers. Nonetheless, some officers are under investigation for 47 sexual offences and their names have been forwarded to the Director of Public Prosecutions for further action. I urge the Kenyan authorities to ensure a rigorous process of investigation and prosecution of sexual violence cases.

109. In my previous report (A/66/657-S/2012/33, paras. 89-91), I highlighted concerns over allegations of acts of sexual violence against nationals of the Democratic Republic of the Congo and other countries committed during the process of expulsion of suspected irregular immigrants from Angola. In a joint communiqué issued with the United Nations in March 2011, the Government of Angola committed itself to implementing a policy of zero tolerance of sexual abuse in its security forces and taking action to increase cooperation with United Nations agencies and the International Organization for Migration to monitor expulsions and train relevant security forces.

110. In line with the Government's commitment, on 30 November the Minister of External Affairs of Angola led a delegation representing the inter-ministerial commission established to deal with this issue to Lunda Norte province. The United Nations Resident Coordinator in Angola and representatives of the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and non-governmental organizations also participated. The United Nations has deployed an adviser to support the implementation of the commitments contained in the joint communiqué.

III. Accountability and reparations for crimes of sexual violence

111. National courts remain the principal venue for holding individuals accountable for crimes of sexual violence. As noted in the present report, there have been a number of prosecutions of members of security forces and armed groups responsible for committing acts of sexual violence, including rape. National authorities should be supported to continue to fight impunity.

112. The focus of international criminal justice and mixed tribunals on combating acts of sexual violence, including rape, in the context of crimes against humanity, war crimes and genocide, represents an important complement to national efforts. Crimes of sexual violence should be incorporated at the outset into the investigation and prosecution strategy. The issuance of a second arrest warrant in July 2012 for Bosco Ntaganda, the FARDC General and former Military Chief of Staff of the Congrès national pour la défense du peuple, represents an important shift in the treatment of sexual violence by the International Criminal Court. New charges against Ntaganda included the crimes against humanity of rape and sexual slavery and war crimes of intentional attacks against civilians, murder, rape and sexual slavery and pillage. In the Thomas Lubanga case, in contrast, the charges were limited to the recruitment and use of children, although there was ample evidence of sexual slavery and rape. The exclusion of charges related to sexual violence restricted the judges' ability to render justice for the victims, as acknowledged by Judge Odio Benito in her dissenting opinion in the Lubanga judgement.

113. The trial in the International Criminal Court of Jean-Pierre Bemba, former Vice-President of the Democratic Republic of the Congo and leader of the Mouvement de libération du Congo, in connection with events in the Central African Republic represents a critical test case for the principle of command responsibility for sexual violence as a war crime and a crime against humanity. Bemba has been indicted on four counts of war crimes and two counts of crimes against humanity allegedly committed between October 2002 and March 2003 in the Central African Republic.

114. In Cambodia, crimes of sexual violence, with the exception of forced marriage, have not been taken up by the Extraordinary Chambers in the Courts of Cambodia, a Cambodia-United Nations hybrid tribunal established under Cambodian law in 2004 to bring to justice senior leaders and those most responsible for atrocities committed between 17 April 1975 and 6 January 1979. Nor have sexual crimes been integrated into the forensic, investigative or prosecutorial strategies of the Extraordinary Chambers. According to the Extraordinary Chambers, the possibility of expanding the scope of charges against the accused to crimes beyond those in the indictment is precluded by its legal framework. In December 2011, a hearing on sexual violence

under the Khmer Rouge regime revealed that sexual violence was a daily reality for most women, that acts of sexual violence were seldom punished and implicitly endorsed by an "enemy policy" promulgated by leaders at the highest levels and that survivors continue to suffer from trauma, discrimination and stigma. I reiterate the call made by my former Special Representative for the Government to ensure the rigorous documentation of such crimes for the historical record and for the Extraordinary Chambers to establish mechanisms for the appropriate recognition of and reparations for victims of sexual violence, as well as the effective prosecution of perpetrators of crimes of sexual violence and forced marriage.

115. The unique ability of the Security Council to impose targeted sanctions raises the stakes for perpetrators and, as such, is an important aspect of deterrence. On 31 December 2012, the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo included on its list of individuals and entities subject to sanctions Lt. Col. Eric Badege and Jean-Marie Lugerero Runiga of M23. Both were designated for listing on the basis of serious violations of human rights. The Committee also designated FDLR and M23 for committing acts of violence, including sexual violence, against civilian populations in the Democratic Republic of the Congo. These actions follow the Committee's designation on 30 November 2012 of two M23 leaders for serious violations of human rights and international law involving the targeting of women; its designation on 13 November of M23 leader Sultani Makenga for serious violations of international law, including sexual violence, involving the targeting of women and children; and its designation in December 2011 of Ntabo Ntaberi Sheka for having planned and ordered a series of attacks in Walikale in August 2010 in which children were raped and abducted. I encourage other sanctions committees of the Security Council — including, as appropriate, the committees concerning Côte d'Ivoire, Somalia, the Sudan and Al-Qaida (specifically with regard to the commission of sexual violence in Mali) — to focus on crimes of sexual violence. I encourage my Special Representative to submit the names of perpetrators to the relevant committees for possible designation.

116. International justice is as much about the hope, dignity and restoration of victims as it is about the accountability of perpetrators. Reparations (including restitution, compensation, satisfaction and rehabilitation) and guarantees of non-repetition are measures that aim to repair or redress the impact of harm caused to or crimes committed against individuals. A victim-centred approach is vital. It is noteworthy that although the defendant was not charged with crimes of sexual violence, the judgement on the *Lubanga* case includes specific guidance on reparations for victims of sexual violence. The implementation of this guidance in ways that specifically repair the immediate and longer-term harm experienced by victims of sexual violence in conflict is imperative in going forward.

IV. Information on progress made in the implementation of the monitoring, analysis and reporting arrangements pursuant to Security Council resolution 1960 (2010)

117. As a basis for evidence-based action, the United Nations system continues to place emphasis on establishing monitoring, analysis and reporting arrangements on conflict-related sexual violence, in line with the provisional guidance issued to

United Nations peacekeeping and political missions and country teams. The establishment of monitoring, analysis and reporting arrangements takes into account ongoing operational and field-level coordination arrangements, including those of the protection cluster and the gender-based violence subcluster; the working groups on the protection of civilians; and the monitoring and reporting mechanisms on grave violations against children. The Office of the High Commissioner for Human Rights has recently developed and piloted a training programme on monitoring and investigating conflict-related sexual violence for human rights officers and other relevant mission and country team personnel. Emphasis continues to be placed on strengthening collaboration between humanitarian entities (including service providers) and United Nations agencies on the one hand and peacekeeping and political missions on the other hand, through appropriate coordination mechanisms.

118. Within peacekeeping and political missions, dedicated capacity in the form of women's protection advisers is required to facilitate and coordinate the implementation of Security Council resolutions on sexual violence in conflict. In South Sudan, nine Women's Protection Advisers have been included in the budget for the United Nations Mission in South Sudan; seven of the Advisers have been deployed. In the Democratic Republic of the Congo, extrabudgetary funding has been provided by the United Nations Action multi-partner trust fund for one Human Rights Women's Protection Adviser to be deployed to MONUSCO for a 12-month period. United Nations Action funds have also been earmarked for two Women's Protection Advisers to be deployed to the United Nations Operation in Côte d'Ivoire for a 1-year period and for one Women's Protection Adviser to be deployed to the United Nations Integrated Peacebuilding Office in the Central African Republic. However, funding through United Nations Action is intended to be catalytic and, as such, it is essential that United Nations missions include Women's Protection Adviser posts in forthcoming budgets and that Members States support the inclusion of such posts in the budget review and approval process. In addition to the aforementioned situations, Women's Protection Advisers are urgently required to form part of United Nations assessment teams and missions in Libya, Mali, Somalia and the Syrian Arab Republic.

V. Engagement by the Team of Experts on the Rule of Law and Sexual Violence in Conflict

119. The lack of adequate national capacity and expertise to investigate and prosecute for acts of sexual violence remains one of the main impediments to ensuring accountability for related crimes. This situation often leads to widespread impunity and has had an impact on access to justice and security and the safety of survivors. To address these issues, the Team of Experts on the Rule of Law and Sexual Violence in Conflict, which was established pursuant to Security Council resolution 1888 (2009), has focused its efforts on strengthening the capacity of national rule of law and justice actors, including in the specialized areas of criminal investigation and prosecution, collection and preservation of evidence, military justice system investigation and prosecution, criminal and procedural law reform, and protection of victims, witnesses and justice officials.

120. The Team operates under a new three-year joint programme developed in coordination with the Department of Peacekeeping Operations, the Office of the

High Commissioner for Human Rights and the United Nations Development Programme (UNDP). It is supporting national authorities in the Central African Republic, Colombia, Côte d'Ivoire, the Democratic Republic of the Congo, Guinea and South Sudan.

121. Following the visit of my former Special Representative to Colombia in May 2012, the Team contributed to the review of draft law No. 037 on access to justice for victims of sexual violence, particularly as it relates to the armed conflict. The Team also commented on the guidelines of the Ministry of Defence on sexual violence in conflict for the police and the military. Due consideration is also being given to providing support to the Office of the Attorney General to enhance its ability to investigate and prosecute for crimes of sexual violence.

122. In accordance with the joint communiqué signed between the Government of Guinea and the United Nations in November 2011, the Team is assisting national authorities in their efforts to investigate cases of sexual violence committed in Conakry in September 2009 and prosecute those responsible. The Team has deployed an expert to advise the panel of judges established by the Government.

123. In the Democratic Republic of the Congo, the Team, in coordination with UNDP, is strengthening the capacity of national authorities to investigate crimes of sexual violence committed by FARDC and other security forces in North and South Kivu and prosecute those responsible. In total, 76 military officers were trained on, inter alia, how to report cases to the Office of the Military Prosecutor. Support in investigations and prosecutions have also been provided to military magistrates and military mobile courts, in coordination with UNDP and MONUSCO prosecution support cells. These efforts have been complemented by the mapping by the Team of the major sexual violence cases committed in the Democratic Republic of the Congo since 2006. The Team has also reviewed and made recommendations on the draft bill on the establishment of a specialized court with jurisdiction over crimes committed since 1990. Its adoption will complement ongoing efforts and help address the severe capacity limitations of national authorities.

124. In South Sudan, the Team's assistance focused on helping to identify and clarify legislative reform priorities relating to sexual violence and strategies to strengthen national- and state-level capacity in the justice sector. The Team conducted an assessment of the national capacity and is currently consulting on a framework of support.

125. The Team will continue to encourage South-South cooperation, particularly by facilitating the sharing of experiences. Such sharing is currently being considered by Côte d'Ivoire and Sierra Leone. This approach will be promoted in other contexts, including in the Central African Republic during implementation of the communiqués signed in December 2012 by the United Nations and the Government of that country.

126. The Team continues to develop a roster of experts capable of complementing its work. It is also coordinating with other international entities, such as Justice Rapid Response, an intergovernmental stand-by facility, and the Preventing Sexual Violence Initiative of the United Kingdom of Great Britain and Northern Ireland.

VI. Recommendations

127. I call upon all parties to conflict responsible or credibly suspected of acts of sexual violence to cease such violations and, in accordance with Security Council resolution 1960 (2010), to make specific and time-bound protection commitments that include: clear orders through chains of command and in codes of conduct (or their equivalent) prohibiting sexual violence; timely investigation of alleged violations in order to hold perpetrators accountable; immediate identification and release from their ranks of those most vulnerable to sexual violence, especially women and children; designation of a high-level interlocutor responsible for ensuring implementation of commitments; and cooperation with and facilitation of access by the United Nations to monitor compliance.

128. In this regard, I call on the Security Council to do the following:

(a) To increase pressure on perpetrators of sexual violence in conflict, including the individuals, parties and States named in my reports, through the adoption of targeted and graduated measures by relevant sanctions committees, and to consider means by which such measures may also be taken in relevant contexts where no sanctions committees are in place. Such actions by the Security Council should apply to those who commit, command or condone (fail to prevent or punish) sexual violence, consistent with the stipulations under international criminal law regarding those bearing direct, command or superior responsibility;

(b) To consider putting in place an appropriate mechanism or procedure of the Security Council to systematically monitor commitments by parties to conflict under its resolution 1960 (2010). I encourage the Council to support efforts by appropriate United Nations officials to engage in dialogue with State and non-State parties to elicit such commitments, including engagement, as appropriate, with the business community, diaspora, religious and traditional leaders or others who may exert influence;

(c) To employ all other means at its disposal to address sexual violence in conflict, including making referrals to the International Criminal Court, mandating international commissions of inquiry, explicitly condemning violations in its resolutions and presidential and public statements and considering sexual violence as a focus of its periodic field visits and its consultations with regional bodies such as the Peace and Security Council of the African Union;

(d) To systematically reflect sexual violence in conflict in all relevant country resolutions and in authorizations and renewals of the mandates of peacekeeping and special political missions through the inclusion of the specific language of its resolution 1960 (2010), calling, inter alia, for the cessation of sexual violence, the implementation of monitoring, analysis and reporting arrangements as a basis for evidence-based actions, dialogue with parties to conflict with a view to achieving protection commitments and the deployment of women's protection advisers;

(e) To remain seized of the status of deployment of women's protection advisers to United Nations peacekeeping and special political missions. The number and function of women's protection advisers should be systematically assessed during the preparation and review of each peacekeeping and political mission, in line with the agreed terms of reference for women's protection advisers, and such

posts should be included in mission staffing tables and budgets in all relevant situations of concern;

(f) To call for and monitor efforts to address sexual violence concerns in the context of security sector reform processes and arrangements, including vetting to ensure that those who have perpetrated or commanded sexual violence and other human rights violations are excluded from all branches of Government, including the armed forces, the police, the intelligence services, the national guard and any civilian oversight and control mechanisms; providing training for national security forces; ensuring the principle of no amnesty for perpetrators of grave human rights violations, including sexual violence crimes; and ensuring that the security sector is accessible and responsive to all segments of the population, in particular to women and children. In the context of demobilization, disarmament and reintegration processes, due consideration should be given to the establishment of protection mechanisms for civilians, particularly women and children, in close proximity to cantonment sites and the stringent requirement that armed forces and groups immediately identify and release all women and children in their ranks. In the context of justice sector reform, emphasis should be placed, inter alia, on support to national authorities in legislative reforms; and training and sensitization on sexual violence for police, prosecutors, judges and magistrates, including training of more women magistrates and lawyers. Due consideration should also be given to the prosecution for sexual violence crimes through transitional justice arrangements, as appropriate.

129. I call on the Security Council, Member States and regional organizations to ensure that mediators and envoys in mediation, ceasefire, peace and preventive diplomacy processes engage in dialogue with parties to conflict on conflict-related sexual violence, and address sexual violence as a method or tactic of conflict in peace agreements. Sexual violence should be included in the definition of acts prohibited by ceasefires and be monitored as part of ceasefire monitoring mechanisms. These concerns should also be reflected as specific provisions in peace agreements related to security arrangements and transitional justice. In this regard, I encourage the use of the United Nations Guidance for Mediators on Addressing Conflict-Related Sexual Violence in Ceasefire and Peace Agreements.

130. I encourage Member States, donors and regional organizations to do the following:

(a) To ensure, as a matter of priority, that survivors have access to medical, HIV, psychosocial, legal and other multisectoral services, and to support the development and strengthening of the capacities of national institutions, in particular health, judicial and social welfare systems, as well as local civil society networks, in order to provide sustainable assistance to victims of sexual violence in armed conflict and post-conflict situations. Adequate and timely resources are required for response programmes by national authorities, United Nations agencies, non-governmental organizations and civil society groups as part of comprehensive strategies to combat sexual violence in conflict, bearing in mind that the availability of services improves information on sexual violence;

(b) To ensure that multisectoral assistance and services are tailored to the specific needs of girls and boys as an integral yet distinct aspect of gender-based violence programmes. There should be adequate resources for further research, monitoring and reporting, prevention initiatives and service provision on particular dimensions such as sexual violence against men and boys as a specific tactic of

conflicts; the plight of survivors who bear children as a result of rape and children born of rape; and sexual violence in the form of forced marriage involving children affected by conflict;

(c) To ensure that reparations awarded through judicial or administrative mechanisms are established and made available to victims of sexual violence in conflict. Multisectoral approaches to the provision of reparations should be strengthened as part of post-conflict transition initiatives and reparations programmes should receive consistent and sustainable funding;

(d) To give due consideration to accepting sexual violence in conflict as a form of persecution that should lead to the recognition of refugee status for the individuals affected, given information in numerous contexts of sexual violence being used to induce forced displacement;

(e) To facilitate improved data collection and analysis on the linkages between the widespread availability of illicit small arms and light weapons and conflict-related sexual violence, and put in place effective arms control measures at the national, regional and international levels. Member States are urged to take into account the need for full gender sensitivity in the context of relevant international instruments, including the United Nations Programme of Action on small arms and light weapons;

(f) To draw upon the expertise of the Team of Experts on the Rule of Law and Sexual Violence in Conflict to strengthen the rule of law and the capacity of civilian and military justice systems to address sexual violence, as part of broader efforts to strengthen institutional safeguards against impunity. I urge donors to ensure sustainable funding for this valuable resource for Member States.

131. Member States bear the primary legal and moral responsibility for preventing and addressing conflict-related sexual violence. Therefore, I reiterate the need for national ownership, leadership and responsibility in this regard. The United Nations stands ready to support national authorities in their efforts.

VII. Annexed list

132. The annex to the present report, based on currently available information, contains a list of parties credibly suspected of committing or being responsible for patterns of rape and other forms of sexual violence in situations of armed conflict on the Security Council agenda. The annex does not purport to be a comprehensive list of violators, but includes those on which credible information is currently available.

133. It should be noted that the annex does not list countries as such. The purpose of the list is to identify particular parties to conflict that are credibly suspected of committing or being responsible for patterns of rape and other forms of sexual violence. In that regard, the names of countries are mentioned only in order to indicate the locations or situations where offending parties are committing the violations in question.

Annex

List of parties that are credibly suspected of committing or being responsible for patterns of rape and other forms of sexual violence in situations of armed conflict on the Security Council agenda

Parties in the Central African Republic

1. Lord's Resistance Army

2. Séléka (composed of factions of the Convention patriotique pour le salut du Kodro, the Convention des patriotes pour la justice et la paix en Centrafrique, the Union des forces démocratiques pour le rassemblement and the Front démocratique du people centrafricain)

Parties in Côte d'Ivoire

1. The following armed groups:

(a) Ex-militia groups, including the Alliance patriotique de l'ethnie Wé, the Front pour la libération du Grand Ouest, the Mouvement ivoirien de libération de l'Ouest de la Côte d'Ivoire and the Union patriotique de résistance du Grand Ouest

(b) Former Forces armées des forces nouvelles

(c) Former Forces de défense et de sécurité

2. Forces républicaines de Côte d'Ivoire

Parties in the Democratic Republic of the Congo

1. The following armed groups:

(a) Alliance des patriotes pour un Congo libre et souverain

(b) Allied Democratic Forces/National Army for the Liberation of Uganda

(c) Forces démocratiques de libération du Rwanda

(d) Forces de défense congolaises

(e) Forces de résistance patriotique en Ituri

(f) Lord's Resistance Army

(g) Mai-Mai Cheka

(h) Mai-Mai Kifuafua

(i) Mai-Mai Morgan

(j) Mai-Mai Simba/Lumumba

(k) Mouvement du 23 mars

(l) Nyatura armed group

(m) Patriotes résistants congolais

(n) Raïa Mutomboki

2. Forces armées de la République démocratique du Congo
3. Police nationale congolaise

Parties in Mali

1. Al-Qaida in the Islamic Maghreb
2. Ansar Dine
3. Mouvement national de libération de l'Azawad
4. Mouvement pour l'unicité et le jihad en Afrique de l'Ouest

Parties in the Syrian Arab Republic

Syrian Government forces, including the Syrian Armed Forces, the intelligence forces and the Shabbiha militia